

### **Remarks**

Applicants have carefully reviewed the Office Action mailed on August 21, 2008. Applicants respectfully traverse (and do not concede) all objections, rejections, adverse statements, and adverse assertions made by the Examiner. With this amendment, claims 1 and 13 are amended. No new matter is added. Please cancel claims 10 and 21 without prejudice. Claims 1, 5-8, and 11-19 remain pending.

### **Claim Rejections Under 35 U.S.C. §103**

Claims 1, 5, 7-8, 10-17, 19 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Acciai et al. in U.S. Patent No. 5,855,802 in view of Pacetti et al. in U.S. Patent No. 6,695,920, McCoy in U.S. Patent Application Pub. No. US 2003/0234243, and Applicants' Admitted Prior Art (AAPA). Please note that claims 10 and 21 are now canceled.

Independent claim 1 is amended to incorporate the subject matter of claim 10 therein. Claim 1 now recites that the rotary motor is positioned below the linear motor. Independent claim 13 is similarly amended to incorporate the subject matter of claim 21 therein and now recites that the rotary motor is positioned below the first motor. Applicants request that this amendment after final be entered as the subject matter of claims 10 and 21 was previously examined.

None of the cited art references appear to teach or suggest these limitations. For example, the linear drive motor 70 is positioned below the rotating means 36 in Acciai et al. Similarly, the linear motor 28 is positioned below the rotating motor 24 in Pacetti et al. McCoy only discloses a rotary and linear movement subassembly 23 and does not disclose a linear (or first) motor, a rotary motor, and that the rotary motor is positioned below the linear (or first) motor. The AAPA similarly fails to teach or suggest the claimed invention. Based on these distinctions, Applicants respectfully submit that amended claims 1 and 13 are patentable over the cited art.

Claims 1, 5, 7-8, 10-17, 19 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Acciai et al. in view of Pacetti et al., McCoy, and Kranz in U.S. Patent No. 6,197,047. Please note that claims 10 and 21 are now canceled. Claims 1 and 13 are amended as described above. None of the cited art references, either alone or in combination, appear to teach or suggest the claimed invention. For example, the shortcomings of Acciai et

al., Pacetti et al., and McCoy are listed above. Kranz similarly fails to teach or suggest a rotary motor positioned below a linear (or first) motor. Consequently, Applicants respectfully submit that amended claims 1 and 13, as well as those claims depending therefrom, are patentable over the cited art.

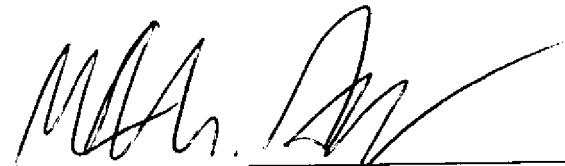
Claims 6 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Acciai et al., Pacetti et al., McCoy, and AAPA or Kranz as applied above and further in view of Magnante in U.S. Patent No. 6,086,204. For the reasons set forth above, Applicants respectfully submit that amended claims 1 and 13 are patentable over Acciai et al., Pacetti et al., McCoy, and AAPA or Kranz. Magnante does not appear to overcome the defects of the cited art. Consequently, Applicants respectfully submit that amended claims 1 and 13 are patentable over the combination of Acciai et al., Pacetti et al., McCoy, AAPA or Kranz, and Magnante, to the extent that such a combination is even possible. Because claims 6 and 18 depend from claims 1 and 13, respectively, they are also patentable based on this amendment and because they add significant elements to distinguish them further from the art.

### Conclusion

Reexamination and reconsideration are requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is also respectfully requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Date: Oct. 22, 2008

  
Glenn M. Seager, Reg. No. 36,926  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, Minnesota 55403-2420  
Tel: (612) 677-9050